

The Honorable THOMAS S. ZILLY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

PACIFIC BELLS, LLC; BRUNSWIKST, LLC; and WOW DISTRIBUTING, INC., in their own and on behalf of similarly situated employers,

and

MELISSA JOHNSTON; LENA MADDEN; JUDI CHAPMAN; KATHERINE SOLAN; JOHN EDMUNDSON; and MIKE LINDBO, individuals on their own behalf and on behalf of similarly situated employees,

Class Plaintiffs,

v.

JAY INSLEE, in his capacity as Governor of the State of Washington; CAMI FEEK, in her capacity as the Commissioner and Chief Executive Officer of the Washington Employment Security Department; DONALD CLINTSMAN, in his capacity as the Acting Secretary of the Washington Department of Social and Health Services; and THE LONG-TERM SERVICES AND SUPPORTS TRUST FUND, an employee benefit plan,

Defendants.

NO. 21-cv-01515-TSZ

DEFENDANTS' RESPONSE TO
MOTIONS TO INTERVENE
(DKT. 24, 30)

**I. DEFENDANTS DO NOT OPPOSE THE MOTIONS TO INTERVENE BY
PROPONENT INTERVENERS**

Defendants do not oppose the motions to intervene filed by AARP, SEIU 775, and PSARA (collectively “Proponent Interveners”). Dkt. Nos. 24, 30.

Defendants do respectfully request that the Court reserve ruling on the Proponent Interveners’ motions until after resolving Defendants’ Motion to Dismiss which is currently pending. *See* Dkt. Nos. 17, 22, 23. Defendants contend that this Court lacks jurisdiction to hear this matter. *See id.* Accordingly, the Court should dismiss this matter for lack of jurisdiction and render the Proponent Interveners’ motions to intervene moot.

If this Court does not dismiss for lack of jurisdiction, however, Defendants have no objection to intervention by the Proposed Interveners.

DATED this 21st day of March, 2022.

ROBERT W. FERGUSON
Attorney General

s/ William McGinty
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CERTIFICATE OF SERVICE

I certify that on the date indicated below, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

Richard J. Birmingham	richardbirmingham@dwt.com
Christine Hawkins	christinehawkins@dtw.com
Wm. Brent Hamilton, Jr.	brenthamilton@dwt.com

I certify under the penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

EXECUTED this 21st day of March, 2022, at Olympia, Washington.

s/ William McGinty
WILLIAM MCGINTY
Assistant Attorney General